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6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 In re:

10 ROBERT PARKER JOHNSON,

11 Debtor

Chapter 13 Proceedings

Case No. 2:17-bk-15069-BMW

**ORDER RE JOINT MOTION TO
APPROVE SETTLEMENT
AGREEMENT;
AND
MOTION FOR EXPEDITED HEARING**

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16 This matter came before the Court pursuant to the FED. R. BANKR. P. 9019 JOINT
17 MOTION TO APPROVE SETTLEMENT AGREEMENT; AND MOTION FOR
18 EXPEDITED HEARING (the “Motion”) filed by Robert Parker Johnson (“Debtor”) and
19 Everett S. Butler, as Successor Trustee of the Survivor’s Trust Created under the Deem
20 Living Trust, dated July 25, 2009 (“Butler”). The terms of the compromise and settlement
21 were set forth on the record at the Settlement Conference held on August 16, 2018 before
22 the Honorable Paul Sala (See Docket Nos. 44 & 45) and are set forth in the Motion.

23 The Court, having reviewed the Motion and Settlement, the entire record of the case
24 and good cause appearing therefore;

25 IT IS HEREBY ORDERED, ADJUDGED AND DECREED;

- 26 1. The Settlement meets all of the requirements of Bankruptcy Rule 9019 and is hereby
27 approved and enforceable in accordance with its terms. The settlement is fair and
28 equitable based upon the factors set forth in *In re A&C Properties*, 784 F.2d 1377, 1381
(9th Cir. 1986.)

- 1 2. Due and proper notice of the Motion and the Settlement has been and will be given to
2 creditors and parties in interest as is appropriate under the circumstances of this case,
3 pursuant to 11 U.S.C. § 102(1), Federal Rules of Bankruptcy Procedure.
- 4 3. Debtor is directed to serve a copy of this Order on all creditors and parties in interest and
5 lodge a certificate of service therefore.
- 6 4. The Debtor or its attorney shall notice this Order to the United States Trustee and all
7 creditors and parties in interest in this case. Parties receiving this notice must file a
8 written objection to this Order and a request for hearing thereon and serve such written
9 objection and request on counsel for Debtor at the address set forth in paragraph 7, *infra*,
10 within fifteen days of service of this Order.
- 11 5. If no party timely files and properly serves a written objection to this Order within
12 fifteen days of service, this Order shall become final.
- 13 6. In the event this Order does not become final for any reason, then this Order shall be null
14 and void and of no further force and effect.
- 15 7. Any Objections to this Order shall be written and filed with the Clerk of the Bankruptcy
16 Court, with a copy delivered to counsel for the Debtor at the following address:
- 17 Chris Dutkiewicz,
18 NEELEY LAW FIRM, PLC
19 2250 E. Germann Rd., Suite 11
20 Chandler, AZ 85286
Email: ecf@neeleylaw.com
Phone: 480.802.4647 | Fax: 480.907.1648
- 21 8. Time and strict performance are of the essence with regard to all provisions of this
22 Order.

23 SO ORDERED.

24 **DATED AND SIGNED ABOVE**